

**BY ORDER OF THE
SECRETARY OF THE AIR FORCE**

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Acquisition

**AIR FORCE COMPETITION AND
COMMERCIAL ADVOCACY**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This instruction implements AAFP 63-3, *Competition and Commercial Advocacy*, by providing guidance and procedures for personnel implementing the Air Force Competition Advocacy Program. To better understand the competition requirements, review FAR part 5, *Publicizing Contract Actions*, part 6, *Competition Requirements*, and part 7, *Acquisition Planning*.

(AMC) AFI 63-301, 1 August 1997, is supplemented as follows: (This supplement does not apply to Air National Guard and United States Air Force Reserve units.)

SUMMARY OF REVISIONS

This document is substantially revised and must be completely reviewed.

The following revisions are incorporated by this document: Retitled "Competition and Commercial Advocacy"; and elimination of information/guidance which duplicates AFFARS/AFPD language or which should be determined by the MAJCOM or field activity. Streamlines reporting procedures by consolidating Part I and Part II into one competition plan from each activity. Incorporates advocacy of commercial items as required by FAR. Adds requirement for an impediment tracking method.

1. Air Force Competition and Commercial Advocacy.

1.1. Scope. Air Force Competition Advocates are responsible for promoting full and open competition and the acquisition of commercial items. This AFI addresses both of these responsibilities. The

Air Force Competition Program, Plans and Report encompass both competition and commercial advocacy.

1.2. This AFI: 1) covers the assignment, duties and responsibilities of Air Force competition advocates; 2) establishes the format and schedule for submission of competition plans to the Air Force Competition Advocate General; and 3) establishes the process for assigning competition goals. This instruction implements 41 U.S.C. 418.

2. Assignment of Competition Advocates.

2.1. All Air Force procuring activities identified in AFFARS 5306.304-90 shall have a competition advocate. Commanders will designate an individual who:

2.1.1. Has extensive qualifications and knowledge of the types of acquisitions of the activity;

2.1.2. Is at a position level commensurate in grade or rank with the senior level program, product, or laboratory personnel with whom the advocate interacts and influences;

2.1.3. Has direct access to the commander on matters relating to competition, acts independently, and does not have duties or responsibilities that are inconsistent with the duties and responsibilities as competition advocate.

2.2. When a competition advocate is designated, Commanders shall notify SAF/AQC in writing. SAF/AQC will sign and forward a competition advocate certificate to the commander for signature and presentation to the competition advocate.

2.3. At HQ AFMC, HQ Space Command and the Air Logistics Centers, commanders will assign a full-time, designated staff to support the functions of the competition advocate.

2.4. Commanders shall ensure that all advocates have access to adequate technical and engineering personnel to 1) effectively challenge impediments to competition and 2) encourage use of commercial items and practices.

2.5. Commanders may assign alternate advocates to act in the absence of the competition advocate. Appointment of an alternate advocate may be made on a standing or continuous basis, however such alternate advocates may not function in this role for any period which exceeds thirty consecutive days. If a competition advocate will be absent for longer than thirty consecutive days, a formal competition advocate certificate, as described in paragraph 2.2. above, shall be obtained for the advocate's alternate/replacement. It is preferred that alternate advocates meet the qualifications of permanent competition advocates to act effectively in their absence.

3. Duties and responsibilities.

3.1. SAF/AQC, as the Competition Advocate General, shall:

3.1.1. Advise the Air Force Senior Procurement Executive on program acquisition strategies.

3.1.2. Receive Command Competition Plans (CCPs) and recommend goals to the Air Force SPE for Air Force activities. Goals will be established by 31 Dec each year.

3.1.3. Review and coordinate on all acquisition plans requiring approval by SAF/AQ.

3.1.4. Review and coordinate on all Single Acquisition Management Plans submitted in accordance with AFFARS 5307.

3.1.5. Ensure Air Force policies and procedures emphasize use of commercial items and practices.

3.1.6. Review and coordinate on all Justification & Approvals (J&As) requiring approval by SAF/AQ.

3.1.7. Act as the Air Force Competition Ombudsman, addressing issues and questions from industry and other sources on the competitive and commercial aspects of Air Force acquisitions.

3.1.8. Submit an Air Force Competition Program report, RCS: SAF-AQC(A)9444 to the SPE, by 31 Mar each year, detailing the prior year's competition and commercial successes and competition rate results. The report will contain the statistics of the percentage of Air Force dollars that were competed and the actions that were competed. The report will also address the requirements contained in FAR 6.502(b)(2). This report is designated emergency status code C-3, with a delayed precedence during emergency conditions. This report is not subject to MINIMIZE because it is not transmitted via message.

3.2. MAJCOM Commanders shall:

3.2.1. Establish a Competition Advocacy Program that meets the needs of the command and complies with Air Force regulation and policy for competition and commercial items.

3.2.2. Take all practicable steps to ensure the command's competition rate meets or exceeds the goals established by SAF/AQ.

3.2.3. Ensure the competition program is implemented at subordinate units.

3.2.4. Designate a competition advocate for the command that meets the criteria described in 2.1 above.

3.3. All competition advocates shall:

3.3.1. Promote competition and commercial practices in acquisition programs managed by their commander or an associated PEO or DAC. Advocates seek to improve the overall competitive performance and increase use of commercial practices by overcoming barriers such as requirements, policies, procedures, and decisions that restrict competition or limit applicability of commercial practices.

3.3.2. Participate in acquisition strategy planning through forums such as the Acquisition Strategy Panel process.

3.3.3. Coordinate or approve J&As as required by AFFARS subpart 5306. Competition advocates also periodically review samples of J&As below their approval authority which were initiated for contracts awarded by their activity. The purpose of these reviews is to identify the existence of significant problems in compliance with competition requirements. Identified problems and recommendations for corrective actions will be provided to appropriate levels of management for resolution.

3.3.3. (AMC) In addition to maintaining records of processed J&As, a J&A register by fiscal year shall be maintained by each contracting activity listing each locally-processed J&A (greater than \$100,000) sequentially. The register should include a description of the project/program, the authority used for restricting competition, and the dollar amount. A copy of each fiscal year register must be submitted to the Command Competition Advocate, HQ AMC/LGC, by 31 Decem-

ber. **NOTE:** The reporting requirement in this paragraph is exempt from licensing in accordance with paragraph 2.11.12 of AFI 37-124, *The Information Collections and Reports Management Program; Controlling Internal, Public, and Interagency Air Force Information Collections*.

3.3.4. Through J&A/AP reviews and participation in the acquisition strategy planning process, ensure that market research is planned, conducted, adequately documented and that all identified opportunities for competition and commercial practices have been fully considered.

3.3.5. Develop an activity competition plan on a fiscal year basis as described at 4. below.

3.3.6. Establish procedures to monitor competition performance of their activity. Advocates will keep the commander informed on activity performance and take all practicable steps to ensure the activity's competition rate equals or exceeds its assigned goal.

3.3.7. Effectively implement the competition program at subordinate units.

3.3.7. (AMC) The logistics group commander is the local CA at all AMC bases. The chief of the contracting office at the AMC Contract Airlift Division (HQ AMC/DOY) and AMC Contracting Flight (AMC CONF/LGCF) will serve as local CA.

3.3.8. Maintain a program to identify, track, and follow-up on actions to remove impediments to competition and commercial practices to ensure that appropriate, effective, and timely actions are taken. MAJCOM competition advocates will establish implementing procedures for the program.

3.3.9. Promote source-development programs to assist potential sources with identifying business opportunities and becoming qualified sources. In AFMC:

3.3.9.1. The Small Business Office conducts source development, including processing source-qualification requests.

3.3.9.2. Competition advocates support source development by providing technical assistance and coordination, as necessary. This includes the review of disapproved source approval requests, including changes in approval status of previously approved sources, as necessary to ensure that such disapprovals are appropriate.

3.3.10. Act as the Competition Ombudsman for contractor issues and as the principal liaison between government and industry in investigating and eliminating barriers to competition and use of commercial items.

3.3.11. In AFMC, monitor the Department of Defense Spare Parts Breakout Program and the procurement data-screening process to identify and correct problems that inhibit competition. AFMC Competition Advocates must support the DoD Replenishment Parts Purchase or Borrow Program by identifying candidates and encouraging potential contractors to participate.

3.3.12. Act as the task order Ombudsman for contractor issues on issuance of task orders on multiple award contracts.

3.3.13. Identify competition conversion opportunities through activities such as J&A reviews, AP reviews, and the impediment identification and tracking/follow-up program.

3.3.14. Review and provide appropriate comments on determinations made in accordance with FAR 9.202(b) that it would be unreasonable to specify the standards for qualification which a potential offeror (or its product) must satisfy in order to meet established qualification requirements.

4. Competition Plans.

4.1. Subordinate activities submit their Competition Plans to the MAJCOM. MAJCOM plans consolidate the plans of their subordinate activities. Competition Plans are designated RCS: SAF-AQC(A)9445. This report is designated emergency status code C-3, with a delayed precedence during emergency conditions. This report is not subject to MINIMIZE because it is not transmitted via message.

4.1. (AMC) Each AMC contracting activity will develop an annual competition plan. The logistics group commander (Chief of HQ AMC/DOY and Chief of AMC Contracting Flight) will sign the plan/letter and submit to the Command Competition Advocate in the AMC Contracting Division (HQ AMC/LGC) to arrive not later than 1 October each year. Plans will generally follow the format outlined in AFI 63-301, para **4.4**.

4.2. MAJCOM and Direct Reporting Unit competition advocates submit plans for each fiscal year to SAF/AQC by 31 Oct.

4.3. Plans shall be approved at one level above the DCS, director or division chief of contracting.

4.4. Plans shall include, at a minimum:

4.4.1. Projected obligations, projected competitive obligations, and corresponding projected competition rate (which is the percentage based ratio of total dollars obligated competitively to total dollars obligated) in matrix format. Projections should include PEO and DAC program obligations, but exclude obligations which would be recorded in the J001 as not available for competition. Subordinate activities that are listed separately in the J001 Report shall be separately identified with their projected performance data.

4.4.2. Supporting explanation for any significant differences between the previous year's projections and the actual data known at the time of submission of the report.

4.4.3. Current rate compared to the assigned goal in matrix format. The current rate shall be obtained from the data in the latest J001 report available at the time the activity competition plan is prepared. Subordinate activities that are listed separately in the J001 report shall be separately identified with their current rate and previous year's goal. The matrix shall be annotated with paragraph references for each significant difference between the assigned and latest available J001 rates. Supporting explanation for any significant differences between the projected competition rate and the goal from the previous year will be provided.

4.4.4. Opportunities and actions taken to acquire commercial items and use commercial practices to meet the needs of the activity.

4.4.5. Opportunities and actions taken to achieve full and open competition in the contracting operations of the activity.

4.4.6. Actions taken to challenge requirements that are not stated in terms of functions to be performed, performance required, or essential physical characteristics.

4.4.7. Any condition or action that has the effect of unnecessarily restricting the acquisition of commercial items or competition in the contracting actions of the activity.

4.4.8. A listing of significant noncompetitive system and subsystem programs, including repetitive procurements, targeted for conversion to competition. Conversion target dates shall be included.

4.4.9. Impediments which are planned to be removed, the plan for their removal, the office of primary responsibility, and the forecasted milestones for completion.

4.4.10. All other initiatives, actions, and success stories for improving competition or the acquisition of commercial items.

4.5. If the final fiscal year rate for a MAJCOM is significantly different than the rate known at the time of plan submission or the previous year's projections, SAF/AQC may require submission of a follow-up report no later than 30 Jan detailing the final rates for the MAJCOM and reconciling actual performance with their projections. SAF/AQC will request this report at the time that goals are issued.

4.6. MAJCOMs that achieve a 95% competition rate (dollars) are not required to submit a competition plan. However, MAJCOMs that are in this category shall submit a memo to SAF/AQC with a breakout of their subordinate activities and overall MAJCOM rates (both for actions and dollars) and a summary of their commercial practice initiatives and successes during the previous fiscal year. This memo shall be submitted by 31 Oct each year and be signed by the competition advocate.

4.7. The competition plan will serve as the nomination package for any activity or MAJCOM being submitted as a nominee for the unit or MAJCOM Outstanding Contribution to Competition awards. By the suspense date identified in AFI 36-2835, Chapter 3, MAJCOMs should submit a letter specifically identifying the unit being nominated and/or their desire to be considered in the MAJCOM category. Activities that are not required to submit plans based on paragraph (e) above, must submit a nomination package based on the criteria identified in AFI 36-2835, Chapter 3, to be considered for unit or MAJCOM competition awards.

5. (Added-AMC) Approval.

5.1. (Added-AMC) For actions up to and including \$500,000, the functional area chief certifies on the J&A. For these actions at the wing level, the base legal office and the squadron commander coordinate on the J&A. For these actions processed by HQ AMC/DOY and AMC CONF, HQ AMC/JAQ and the chief of the contracting office coordinate on the J&A.

5.2. (Added-AMC) 5.2. (Added) On J&As exceeding \$500,000 sent to the headquarters for approval, the contracting officer will prepare a justification review document (JRD) (one-page coordination and approval sheet) that accompanies the justification. Signature blocks must be included for each signer and each signature must be dated. Ensure the lower half of the JRD is blank so ample space is available to insert the appropriate MAJCOM signature blocks listed in 6.b and 6.c. For approving authority, see the table in para **6. (Added)**.

5.2.1. (Added-AMC) For actions exceeding \$500,000 and up to \$10,000,000, the contracting officer and the functional area chief certify on the J&A. The base legal office, the chief of the contracting office or the squadron commander, the local CA, and the command legal office coordinate on, and the command CA approves the JRD.

5.2.2. (Added-AMC) For actions exceeding \$10,000,000, the contracting officer and the functional area chief certify on the J&A. The contracting officer, functional area chief, base legal officer, chief of contracting office, local CA, command legal office, and command CA coordinate on the JRD. The Chief,

Contracting Division (HQ AMC/LGC) recommends approval to the ASAF/A on the JRD and forwards the JRD to SAF/AQCS. SAF/AQCS will prepare the final acquisition action approval (FAAA) and the appropriate staff summary sheet for routing within Air Force headquarters to obtain ASAF/A approval or the designee if the requirement is not more than \$50,000,000.

5.3. (Added-AMC) If any of the coordinating officials take exception to the justification, they will reduce the exception to writing and submit it to the appropriate approval authority. If complete approval or disapproval is not considered appropriate, the approval authority may add restrictions to the approval.

5.4. (Added-AMC) In emergency situations where written approval cannot be obtained in time to process the award, written or verbal approval must be obtained as soon as possible from the appropriate approval authority upon learning of the requirement and prior to initiating procurement action when possible.

6. (Added-AMC) Summary of Coordination and Approval Requirements.

Acquisition Cost	Provide info for 12 items in	Coordination	Approved by
a) ≤\$500,000	FAR 6.303.2	Functional area chief certification on <u>J&A</u> . At Wing Level: Base legal officer and squadron commander coord on <u>J&A</u> . At HQ AMC/DOY and AMC CONF: Chief of contracting office & appropriate legal office coordinate on <u>J&A</u> .	CO on <u>J&A</u>
b) > \$500,00 and ≤\$10,000,000	Same	Contracting officer and functional area chief certification on <u>J&A</u> . Base legal officer, chief of contracting office or squadron commander, local CA (if applicable), and command legal office coord on <u>JRD</u> .	Command CA on <u>JRD</u>
c) >\$10,000,000	Same	Contracting officer and functional area chief certification on <u>J&A</u> . Contracting officer, functional area chief, base legal officer, chief of contracting office, local CA (if applicable), command legal office, and command CA coord on <u>JRD</u> . The Chief, Contracting Division recommends approval and forwards the <u>JRD</u> to SAF/AQCS.	Air Force Senior Procurement Executive (ASAF/A or designee) on FAAA

NOTE:

JRD only required on actions exceeding \$500,000 processed through the command CA.

7. (Added-AMC) Sole Source Simplified Acquisition Procedures (SAP) under the Test Program for Commercial Items. A sole source acquisition using simplified acquisitions procedures for commercial items with a value of \$2,500 to \$100,000 require the contracting officer to document the file in accordance with the procedures in FAR Part 13.501(a). A sole source acquisition using simplified acquisitions procedures for commercial items with a dollar value above \$100,000, requires an approved J&A. A sole source acquisition using simplified acquisition procedures for commercial items with a dollar value above \$500,000 requires command competition advocate approval.

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